

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FEDERAL TRADE COMMISSION,

Plaintiff,

vs.

JEREMY JOHNSON, *et al.*,

Defendants.

Case No. 2:10-cv-02203-MMD-GWF

ORDER

Motion to Compel (#772)

This matter comes before the Court on Plaintiff Federal Trade Commission's ("Plaintiff") Motion to Compel Defendant Loyd Johnston ("Johnston") to Respond to Written Discovery (#772), filed on December 13, 2012. The time to file a response expired on December 31, 2012.

Plaintiff represents that it served Johnston with written discovery requests on August 17, 2012, and that responses were initially due September 19, 2012. Plaintiff further represents that after numerous extensions, Plaintiff informed Johnston on December 4, 2012 that if he did not respond to the requests by December 10, 2012, a motion to compel would be filed. Plaintiff avers that Johnston did not respond to the December 4 communication or to the discovery requests by December 10. The Court finds that Plaintiff establishes good cause for an order to compel responses to its discovery requests.

Furthermore, under Local Rule 7-2(d), the failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion. The time to oppose the instant Motion has expired, and no opposition has been filed. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Compel Loyd Johnston to Respond to Written Discovery (#772) is **granted**.

...

1 **IT IS FURTHER ORDERED** that Defendant Loyd Johnston shall respond to Plaintiff's
2 written discovery requests no later than **January 11, 2013**.

3 DATED this 4th day of January, 2013.

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6 GEORGE FOLEY, JR.
7 United States Magistrate Judge
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